

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANDREW DAYS
115 Polifly Road, #2H
Hackensack, New Jersey 07601
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eMail: andrewarcher9@yahoo.com
Pro Se

MALIBU MEDIA, LLC,

Hon. Stanley R. Chesler, U.S.D.J.

Plaintiff,

Civil Action No. 2-14-cv-05337-SRC-CLW

v.

CIVIL ACTION

ANDREW DAYS,

RETURN DATE:

Defendant.

**NOTICE OF MOTION TO
DISMISS COMPLAINT**

Document Filed By Regular Mail

TO: Patrick J. Cerillo, Esq.
4 Walter Foran Boulevard, Suite 402
Flemington, NJ 08822
eMail: pjcerillolaw@comcast.net
Attorney for Plaintiff

PLEASE TAKE NOTICE that on _____, 2015, at 10:00 a.m., or as soon thereafter as counsel be heard, plaintiffs shall move before the Hon. Stanley R. Chesler, U.S.D.J., at the United States District Court, 50 Walnut Street, Newark, New Jersey, for an Order Dismissing plaintiff's Complaint, for failure to state a claim upon which relief can be granted, pursuant to Fed. R. Civ. R. 12(b)(6), and for other and further relief as the Court deems necessary and proper.

PLEASE TAKE FURTHER NOTICE that this defendant shall rely on the Brief annexed hereto.

Any opposition must be served and filed at least fourteen days prior to the return date of this motion.

ANDREW DAYS
Defendant Pro Se

By: /s/ Andrew Days

Dated: April 22, 2015

Andrew Days

eMail: andrewarcher9@yahoo.com

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Plaintiff,

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v.

ANDREW DAYS,

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CERTIFICATION OF SERVICE

Defendant.

1. I, Andrew Days, defendant, hereby certify that on April 22, 2015, I mailed this defendant's Notice of Motion to Dismiss the Complaint, along with defendant's Brief and proposed form of Order, with the Clerk of the District Court using regular mail, which sent notification of such filing to the following:

Patrick J. Cerillo, Esq.
4 Walter Foran Boulevard, Suite 402
Flemington, NJ 08822
eMail: pjcerillolaw@comcast.net

2. On April 22, 2015, I also placed into the U.S. mail a courtesy copy of all moving papers to the Hon. Stanley R. Chesler, U.S.D.J., United States District Court, 50 Walnut Street, Newark, New Jersey 07102, via regular mail.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 22, 2015

/s/ Andrew Days

Andrew Days

eMail: andrewarcher9@yahoo.com

Andrew Days
115 Polifly Road #2H
Hackensack, NJ 07601



Clerk's office
50 Walnut Street
Newark, 07101

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